

105,2049 - Wit Rpt - Lathrop - pl

CROSS EXAMINATION BY MR. PFEIFFER:

Q Miss Opie, what time was it you said Dr. Hall called on the telephone in the afternoon and asked for Mrs. Mills?

A Well, as near as I can remember it was around three or half past, it was in the middle of the afternoon.

Q The middle of the afternoon and your clocks were on daylight saving time that were there? A. Yes.

THE COURT: That is all, Mrs. Opie.

J O H N L A T H R O P duly sworn for

DIRECT EXAMINATION BY MR. SIMPSON:

Q Where do you live, Mr. Lathrop?

A What is that?

Q Where do you live? A. 27 Elwood Avenue, Bloomfield, N. J.

Q And on the 14th of September 1922 where did you live-- where did you live on the 14th of September, 1922?

A There right beside the Phillips farm, I can't recall what they call the station. Right opposite the Phillips farm, three or four hundred feet from the place where the bodies were found.

Q Did you go to the place?

A They were both there. I saw them about ten o'clock in the morning.

Q Who was there when you saw them?

A I had been downtown in the morning and on the way back

105.2049 p2

there was a car parked at the foot of Derussey Lane.

In it was Officer Garrigan and another party I've found out since was Schneider. I asked Garrigan what he was doing there.

Q Don't tell any conversations.

A He told me there was two dead bodies up in the field, that was it.

Q Go ahead. A. When I got on the field another officer was standing there and he was making out his report. He asked me, "How do you spell the word evangelist?" I corrected it for him and he went on with his report, made it out. Then I inspected the bodies, took it in from every angle, how they were dressed and all the letters and so forth between them. It was an hour or two before anyone came there. Then some men came there and picked up the letters and began reading them. One of the letters he was reading he handed to another party and they began to laugh over the contents of it.

Q How were the bodies lying?

A They were lying side by side, his right hand was over against her left shoulder. That left hand was some way, but I did not pay any attention to that. She, both hands was laying on this side, and her face was all clotted with blood and her hair over her face, so you could not discern her features very good

105.2049 p3

- Q Where were they lying with reference to the crab apple tree? A. There two feet were right almost touching the tree, and their heads towards Lovers Lane, that is the one that runs at right angles from Derussey's Lane.
- Q Did you see any blood around there?
- A Only what was under her head and there was a great deal of it. When the undertaker went to pick her up he got it on his hands and wiped his hands on the grass. Then he took this scarf and wrapped it around her head, to put it in this basket they carry bodies in.
- Q Did you see anybody make a nick in the crab apple tree?
- A I cut a notch into it, to show just where those bodies were.
- Q Where were the bodies with reference to the grass you cut?
- A Well, these two bodies laid right under the apple tree. Part of the branches partly covered them.
- Q Where were the heads with reference to the cross you cut?
- A Their heads were towards Lovers Lane, away from the tree.
- Q Were you there when the coronor came? A. Yes, sir.
- Q What did he do? A. Just merely looked them over and I didn't think--I thought it was some farmer, I didn't know he was the coronor until someone told me. He lifted up their heads and saw the conditions of their faces.
- Q Did you see any marks on their faces, automobile marks or shoe marks or trails of any kind?

105.2049 p4

A No, I hunted for them.

Q How was the dress of the dead woman, what condition was it in? A. She laid straight on her back, with her right foot extended against her left, and her arms down by her sides and her head turned towards the left.

Q Where was your house with reference to the place where the bodies were, where did you live?

A Well, I should judge it was about five hundred feet, right across Derussey's Lane. I could see it from the porch.

Q Could you see your house from the bodies?

A Yes, sir.

Q And is that the house that your sister, the witness who testified about the shots, is that the house she lived in? A. That is the house she lived in, yes, sir.

Q Did you see any card or cards taken away by anybody?

A No, sir.

Q There has been some testimony here that there was a card dropped against the dead man's foot, did you see that card? A. No, sir; I did not. I walked all around the bodies.

Q Did you see any watch chain on the body?

A No, sir; his coat was plain open; I could not see anything.

105.2049 p5

CROSS EXAMINATION BY MR. PFEIFFER:

Q Mr. Lathrop. A. Yes, sir.

Q Was Mrs. Hoag your sister?

A I presume she was, sir.

Q Well, the question is whether she is your sister.

A Yes, she is my sister. I was living with her.

Q At this time on the 16th of Septeber, 1922?

A Yes, sir. She is here. Just her, her husband and I lived there.

Q Now, did you look at the foot of Dr. Hall to find out if there was a card there or not?

A I beg your pardon.

Q I say, did you look at the soles of the feet of Dr.

Hall? A. I walked all around. If there had been anything there I certainly would have seen it.

Q And you did not see a calling card propped up against

it? A. No, sir; I walked all around on both sides ~~mx~~ and saw everything that was to be seen, saw the bodies, how they were dressed, and how they were lying.

Q How many empty shells did you see lying around the bodies?

A I saw no shells around the bodies, but I found two ~~shells~~ shells later on that I understand they was used by the troopers to show which way the shots probably had been made, that these shots were not on the ground at the time I saw the bodies.

105.2049 p6

Q How long after you first saw the bodies did you see the shells there, which were placed by the troopers?

A Oh, well, I couldn't say what time the troopers had been there.

Q Was it the same day or some other day?

A Well, I went on the field every other day because there were so many visitors, showed just the spots where the bodies laid.

Q And on the 16th when you walked around the bodies---

A I was as close to them as I am to you.

Q I understand you to say you saw no empty shells?

A No empty shells at that time.

Q Did you see any of the shells around the bodies at any time on the morning of September 14th?

A No, sir; not whatever.

63

E D W A R D S C H W A R T Z duly sworn for
DIRECT EXAMINATION BY MR. SIMPSON:

Q Mr. Schwartz, what is your profession?

A I am superintendent of the Bureau of Records, Police Department, Newark.

Q Newark city? A. Yes, sir.

Q Did you come down to work on this case with Detective Mason of the Prosecutor's office? A. Yes, sir.

Q Did you go to the scene of the killing? A. I did.